

UNITED STATES BANKRUPTCY COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

RE: VALARIE E CALDWELL

) Case No. 16 B 24051
)
debtor) Chapter 13
)
) Judge: DONALD R CASSLING

NOTICE OF MOTION

VALARIE E CALDWELL

CUTLER & ASSOC

via Clerk's ECF noticing procedures

3839 W FLOURNOY APT 2
CHICAGO, IL 60624

Please take notice that on October 10, 2019 at 9:15 am my designee or I will appear before the Honorable Judge DONALD R CASSLING at 219 South Dearborn Courtroom 619, Chicago, IL and present the motion set forth below.

I certify under penalty of perjury that this office caused a copy of this notice to be delivered to the persons named above by U.S. mail at 55 E Monroe St., Chicago, IL 60603 or by the methods indicated on July 30, 2019.

/s/ Tom Vaughn

**TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO TURNOVER
TAX RETURN AND REFUND TO TRUSTEE**

Now comes Tom Vaughn, Trustee in the above entitled case and moves the Court to dismiss this case in support thereof states:

1. On July 27, 2016 the Debtor filed a petition and/or plan under Chapter 13 of Title 11 U.S.C.
2. The debtor's plan confirmed on October 13, 2016, provided for tax refunds over \$1200.00 to be turned over to the trustee each year.
3. The trustee has not received the tax return or transcript, and/or tax refund for 2018.

WHEREFORE, the Trustee prays that this case be dismissed for material default by the debtor with respect to a term of a confirmed plan, pursuant to § 1307 (c) (6).

Respectfully submitted,

/s/ Tom Vaughn

TOM VAUGHN
CHAPTER 13 TRUSTEE
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